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STATE FOR KATHERINE BAKER  
SIPDIS

E.O. 12958: DECL: 05/08/2018  
TAGS: [MOPS](#) [PARM](#) [PREL](#) [NATO](#) [GM](#)  
SUBJECT: GERMANY DISCUSSES POSITION(S) ON CLUSTER MUNITIONS

REF: A. STATE 44276  
[1](#)B. STATE 45302  
[1](#)C. 2007 BERLIN 2255  
[1](#)D. STATE 48124

Classified By: DCM John Koenig. REASONS: 1.4 (B) AND (D).

[1](#)1. (C) Summary: POL MC pressed German Deputy Arms Control Commissioner Ruediger Luedeking on the interoperability implications of the Dublin meeting on cluster munitions, urging the "like-minded" group to remove paragraphs 1 (b) and (c) of the draft text and stressed the importance of a strong and unified "like-minded" position. MFA Conventional Arms Control office director Heinrich Haupt informed Poloff that Germany's views on cluster munitions (CM) are clear, expressed consternation about the lack of a U.S. position, and emphasized his hope that the July Convention on Conventional Weapons (CCW) meeting will be more productive. End Summary.

German Thoughts on the CCW  
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[1](#)2. (C) PolOff met with Haupt on April 24 and again on May 6 to discuss points in Ref A. As instructed in Ref B, PolOff attempted to organize a joint demarche with Canada, the U.K., France, Japan, and Australia, but a number of them indicated that their capitals had opted against demarching jointly. PolOff urged counterparts to follow up with the MFA and to press for greater German flexibility at the July CCW meeting on CM, and understands that Japanese diplomats plan to do so shortly.

[1](#)3. (C) Haupt welcomed the opportunity to "once again discuss cluster munitions" and agreed the results of April's CCW meeting in Geneva were "regrettable." He noted that the German view on CM is clear and has been since last year's meeting in Montreaux, where Germany provided a paper calling for the eventual prohibition of CM with an undetermined phase-out period for their stockpiling and use. Haupt added that Germany's dissatisfaction with the U.S. proposal regarding International Humanitarian Law (IHL) was shared by "Switzerland, perhaps Canada, and the International Committee of the Red Cross (ICRC)." When pressed on concerns about perceived German inflexibility, Haupt retorted "our position is clear, whereas the U.S. position remains in the Interagency. How can the U.S. criticize Germany when it has no expressed position?"

[1](#)4. (C) Haupt emphasized that Germany is very much looking forward to learning more about the U.S. position at the next CCW and said "we hope the U.S. will be more forward-leaning than other nations with large CM stockpiles, like China's."

He added that Germany supports the efforts of Danish Ambassador Witgotski who is chairing the CCW meetings and asked that the U.S. provide Witgotski with as much room to maneuver as possible. Haupt also noted that Germany eventually supported the NATO tasker to provide military advice on CM and provided a letter at NATO HQ to better explain Germany's position.

#### German Thoughts on Oslo

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¶5. (C) Turning to the Oslo Process, Haupt said that MFA State Secretary Reinhard Silberberg was increasingly pressing for Germany to support Oslo, regardless of what happens in Dublin -- a change from earlier conversations.

He also added that pressure from the German Bundestag (parliament) has increased "200 per cent" in the last two months and emphasized that members of all political parties, including the ruling coalition parties, were supportive of a comprehensive prohibition of CM "as soon as possible." When asked about their Oslo redlines -- including interoperability, a transition period, a SEFAM carve-out, and training (Ref C) -- Haupt indicated some may not be so red anymore, noting that even the transition period could be in danger. Without being specific, he noted that if all redlines were crossed in Dublin, then Germany would probably not support the Oslo Convention. However, many expect the Dublin meeting in May to produce a result which the majority of like-minded nations can support.

¶6. (C) In a separate conversation May 9, Pol MC urged MFA Deputy Arms Control Commissioner Ruediger Luedeking to support the points in Ref D. Luedeking understood the importance of interoperability for the U.S., NATO, and the like-minded countries and noted that Germany, France, and the U.K. will be meeting next week in Paris to further coordinate their position. He said he did not see any reason to delete paragraph 1(b) of the current text but agreed that 1(c) raised interoperability concerns that were significant. Germany would focus on this matter in Paris next week, he said. Luedeking also expressed some doubts as to whether Dublin would be the last meeting in the Oslo Process, noting that without broad consensus on language addressing the interoperability issue, it is possible future meetings will be required.

¶7. (C) Comment: Department may wish to follow up with the UK and France prior to next week's meetings between the three countries to ensure a positive outcome of those talks. End comment.

¶8. (U) Post will continue to follow up with German counterparts and report results septel. Post contact on CM is Poloff Ken Kero.

TIMKEN JR